

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KENNETH LOWE,

Plaintiff,

Case No. 1:18-cv-12835

v.

Honorable Thomas L. Ludington
United States District Judge

WALBRO LLC,

Defendant.

/

**OPINION AND ORDER DIRECTING PLAINTIFF TO SHOW CAUSE AND STAYING
CASE *SUA SPONTE***

This is an employment-discrimination action arising under diversity jurisdiction. On May 13, 2022, this Court issued an amended scheduling order that set dates for Rule 23(a)(3)(b) disclosures, motions in limine, pretrial disclosures, a final pretrial conference, and a firm jury trial. ECF No. 47.

Under the Eastern District of Michigan's Local Rules, an attorney must be "a member in good standing of the bar of this court to practice in this court." E.D. Mich. LR 83.20(i)(1). On July 11, 2022, The United States District Court for the Eastern District of Michigan suspended Plaintiff's attorney, Thomas Warnicke, under Local Rule 83.22. *In re Warnicke*, No. 2:22-mc-51135 (E.D. Mich. July 11, 2022), ECF No. 2.

This Court has the inherent authority to stay proceedings. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254–55 (1936) (holding that "the power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes in its docket with economy of time and effort for itself, for counsel[,] and for litigants."). Exercising such authority is within the court's discretion. *Ohio Env't Council v. U.S. Dist. Ct.*, 565 F.2d 393, 396 (6th Cir. 1977).

As a result of Attorney Warnicke's suspension, Plaintiff's attorney may not practice in this Court. To avoid prejudice to the Plaintiff, who now finds himself without counsel, this Court will *sua sponte* stay this case for 30 days—until **September 7, 2022**. In addition, Plaintiff will be directed to show cause in writing within two weeks of this order (1) why this Court should not remove Attorney Thomas Warnicke from this case and (2) why this case should proceed with Attorney Warnicke or new counsel.

Accordingly, it is **ORDERED** that Plaintiff is **DIRECTED** to show cause in writing **on or before August 22, 2022**, why this Court should not remove Attorney Thomas Warnicke from this case.

Further, it is **ORDERED** that Plaintiff is **DIRECTED** to show cause in writing **on or before August 22, 2022**, why this case should proceed with Attorney Warnicke or new counsel.

Further, it is **ORDERED** that this case is stayed until **September 7, 2022**, or until further order of this Court.

Dated: August 8, 2022

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge